

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
Tuesday, March 19, 2002**

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Alfred A. Lacer, County Administrator
Judith A. Spalding, Administrative Assistant to BOCC (Recorder)

**LAUREL GROVE PARK
GROUNDBREAKING CEREMONY**

The Commissioners attended the Groundbreaking Ceremony for the Laurel Grove Park.

CALL TO ORDER

The meeting was called to order at 10:05 a.m.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Mattingly moved, seconded by Commissioner Anderson, to accept the agenda as amended (to move the Library Board of Trustees to 3:30 p.m. and to add an executive session on Personnel). Motion carried.

APPROVAL OF CHECK REGISTER

Commissioner Raley moved, seconded by Commissioner Mattingly, to authorize Commissioner President Randall to sign the Check Register. Motion carried.

APPROVAL OF MINUTES

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of Tuesday, March 12, 2002, as corrected. Motion carried.

PRESENTATION FOR YEARS OF SERVICE

The Commissioners presented framed pictures of lighthouses to the following individuals who are (have) retired from County Service: Greg Laxton, Jay McGrath, Joe O'Dell.

RECOGNITION OF MARYLAND'S TOP 100 WOMEN AWARDS

The Commissioners presented Commendations to the following four St. Mary's County Women in recognition of being selected as one of Maryland's Top 100 Women: Commissioner Julie B. Randall; Dr. Patricia Richardson; Rev. Rona Harding; and Dr. Laraine Glidden.

(Kearen Burke took following portion.)

COMMISSIONERS' TIME

Commissioner Mattingly

Attended the Tri-County Council meeting and GSA was discussed again. Charles County has comfort level concerns but Calvert County is supportive of the move. TCC will put together a presentation for the Boards offering the pros and cons of moving the GSA. A representative from Senator Mikulski's office was at the meeting. If the issue is

strictly per diem, Senator Mikulski's staff thinks that can be addressed in another fashion. If there are true benefits to moving GSA from Philadelphia to Washington, D.C., the presentation will address them.

On Monday, March 18, several of the Commissioners attended the function the Navy and contractors put on in the Solomons. The displays were interesting and the response was excellent. Congressmen Weldon and Hoyer were present and their remarks about what we are trying to do in the county were fantastic! Congressman Weldon will be an asset in putting partnerships together. The young 8th grader from the Lexington Park Christian School had a fantastic science fair project. All are to be congratulated!

Commissioner Anderson

All of us attended an event on Saturday, March 16, honoring Evelyn Holland for her great work in the community. Congratulations again!

Attended Walden-Sierra's art auction on Saturday, March 16. This is another group of folks who work very hard for the County.

Last Friday, March 15, went to Annapolis to support the Navy Museum's bond bill in front of the House Appropriations Committee. Delegate Bohanan did a good job of representing Southern Maryland. Keith Fairfax, Gus Eggert, and Gary Hodge were also there. We'll wait and see how it all works out.

Commissioner President Randall

Expressed congratulations to Acting County Attorney John Norris on the birth of his son, Andrew. Mom, baby and Dad are all doing fine.

Received unanimous approval from the Board of Public Works for the Piney Point Museum. Senator Dyson, Delegates Wood, Bohanan, and O'Donnell were all very supportive. We should be very proud of our efforts!!

Commissioner Mattingly added Comptroller Schaeffer had indicated the monies were not there. Nonetheless, we were the first to ask for money. However, the Comptroller complimented the project as one that made sense. Commissioner Guazzo added this addition is so important to the Piney Point museum. The museum will be able to buy existing buildings with a parking lot thanks to Stewart Petroleum. We very much thank them for their cooperation. The museum is key to our tourism and recreation commitment.

Commissioner Guazzo

The Guazzos' and Andersons' are members of the Chesapeake Bay Field Lab which is a new start-up non-profit organization established by Jackie Russell and his wife, Vicki Volk. They had their first annual meeting for the membership on Sunday, March 17, and it's great to see an organization formed like this to educate everyone on the waters of St. Mary's and the value of preserving our environment. All the best to them for the years to come!

Commissioner Raley

Received from John Savich a copy of the new Visitor's Guide for St. Mary's County. Congratulations to John Savich and his staff for such a useful, colorful, clear document that we all can take pride in.

Received an e-mail from Dick Myers. He had questions about the Tri-County Animal Shelter Advisory Board. *At some point in time, the Commissioners need to receive from Mr. Wible, a report about where we stand on the membership on this Board and exactly what the Board's function is.*

On Wednesday, March 13, the Volunteer Reception was held. Compliments to Mr. Lacer and staff for a great evening. Commissioner President Randall added a special thanks to Maggie O'Brien and her staff for the use of St. Mary's College facilities. Their help has been greatly appreciated over the years.

On Tuesday, March 12, all the Commissioners attended the reception that Judge Briscoe and J. Frank Raley hosted at Sotterley for the governor. J. Frank and Judge Briscoe put this together; however, mention should be made of Mike Whitson, President of the Foundation. Mike always puts Sotterley at the forefront and his success is realized in state and federal funding. Congratulations Mike!

There is something that bothers him about what he heard on WKIK. If you listen to WKIK in the afternoon, there is one disk jockey that always starts his program by saying "WKIK plays as much country music as the County Commissioners will allow." I want everybody to know we do not play any role in how much country music can be aired at WKIK!

(Judith Spalding took following portion.)

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas – March 26 and April 9, 2002
2. Supplemental Appropriation Ordinances
(follow up to 2/26/02 public hearings)

Present: Elaine Kramer

- a. Office of the State's Attorney (\$240,000)
- b. Office of the State's Attorney (\$30,000)
- c. Department of Planning and Zoning (\$40,000)

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and sign the FY 02 Supplemental Appropriation Ordinances. Motion carried

3. Department of Human Resources (*Dawn Drew*)
Length of Service Awards Program (LOSAP) service credit
(Annual listing for the eligible, active volunteers of fire departments/rescue squads/ALS)

Present: Dawn Drew, Deputy Director, DHR

Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve and sign the LOSAP Listings. Motion carried

4. Department of Recreation and Parks

Present: Phil Rollins, Director, R&P

- a. Forest Conservation Easements for Nicolet Park and Laurel Grove Park

(Mr. Lacer advised that the Easement for Nicolet Park would be brought back next week.)

Laurel Grove - easement on approximately 23 to 24 acres on the forest area behind athletic fields and active park area.

Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner Randall to sign the Easements as presented. Motion carried.

- b. Memorandum of Agreement for the So. Md. Regional Trail and Bikeway Plan

(The MOA had been previously approved by the Board; however, the Assistant Attorney General made a minor language change, which has been reviewed and concurred with by the County Attorney.)

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the MOA. Motion carried.

5. Budget Amendments

Present: Elaine Kramer, Director of Finance
Lottie Bell, Sheriff's Office
Gene Carter, OOA
George Donley, COA
Richard Rohrbaugh, Director, Facilities Management

- a. Sheriff's Office (\$4,892)
Purchase of non-capital equipment and furniture

Commissioner Raley moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner Randall to sign the Budget Amendment. Motion carried.

- b. Office on Aging
For attendance at National Senior Service Corps Conference and Conference on Community Volunteering and National Service in Salt Lake City (\$1500)

Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner Randall to sign the Budget Amendment. Motion carried.

- c. Facilities Management
Funding for replacement of energy management system at Adult Detention Center and State Office Building (\$168,530)

Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner Randall to sign the Budget Amendment. Motion carried.

6. Facilities Management/Public Works and Transportation
Parking Alternatives near intersection of Routes 5 and 6

Present: Richard Rohrbaugh, Director
George Jarboe, Transportation Supervisor

Mr. Rohrbaugh and Mr. Jarboe reviewed the alternatives and advised that it was staff's recommendation to go with Alternative 1.

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve Alternative One as recommendation. Motion carried.

SENATE BILL 714 - SHORE EROSION CONTROL DISTRICTS

Commissioner Randall requested the County Administrator to review the draft of Senate Bill 714, which had been faxed to the County from Senator Dyson's office. After his review Mr. Lacer explained that the Commissioners have the discretion to establish shore erosion control districts and this bill would provide that if a district is established it would constitute a lien on the property and would apply to the entire duration of the district so that if the property changed hands which will make sure that the assessment is collected and evenly distributed among the members. The Commissioners requested Mr. Lacer to contact Senator Dyson's office with the Board's concurrence on the bill and to thank him for allowing their input.

ST. MARY'S RIVER PROJECT

Present: Dr. Robert W. Paul
Dr. Christopher E. Tanner

The primary goals of this project are:

1. To establish a water quality-monitoring program in both the watershed and tidal river to provide critical information for the protection, restoration, and management of this important river
2. To support research that will lead to restoration of resources in the river to identify potential problems and their effects on the river ecosystem
3. To increase public awareness of the ecological health of the St. Mary's River and to build a sense of stewardship for the river.
4. Also, to make the information useful and available to decision makers at the local, state, and regional levels. The project began in 1999 and this report covers June 1999 through September 2001.

The St. Mary's River Project measures physical, chemical and biological characteristics of the river's health. Of note, water quality is strongly influenced by land use. St. Mary's County has a long history of land abuse, poor agricultural practice, recent urbanization, and development slated for the headwaters of the watershed. Downstream effects are seen in:

- Increased surface runoff
- Decreased recharge of soil water
- Increased erosion
- Stress in streams leads to stress in the tidal estuary

Some conclusions:

- Most streams are in good shape; some are degraded
- It is likely current samplings underestimate the impacts of development
- Impervious surfaces are a major concern
- Further watershed development will stress the streams and tidal river
- High levels of sediments and nutrients are entering the river which lead to algae abundance and toxic algae blooms that lead to reduced oxygen in the water

Some recommendations:

- Erosion and flood control without damming the river
- Improve water quality by minimizing impervious surfaces
- Put buffers along streams
- Corp of Engineers interested in restoration and require our support
- Landfill buffers, erosion and stormwater management control

Commissioner Anderson recommended a Watershed Commission be formed to advise public policy on these issues. There are people already signed up so this issue should be put on a future agenda.

ROAD ORDINANCE, STORMWATER MANAGEMENT/SEDIMENTATION CONTROL/GRADING ORDINANCE

Present: George Erichsen, Director DPW&T
Jon Grimm, Director DPZ

The Road Ordinance is ready for public hearing.

Commissioner Guazzo motioned, and Commissioner Anderson seconded, to approve the St. Mary's County Road Ordinance and take it to public hearing. Motion carried.

After the hearing, there will be a ten-day comment period. The public hearing will hopefully take place April 16, and implementation could follow on May 16, 2002. Mr. Erichsen will attempt to get the Courthouse for the hearing. All three ordinances will be addressed at this hearing: Road, Subdivision, and Stormwater Management/Sedimentation Control/Grading.

Editorial changes to the document were reviewed and discussion followed specifically on page 11, item 2., *Redevelopment Criteria* - to attain 20% reduction of impervious areas. Item 3., line 38. *Partially Developed Sites* was added. *There was a recommendation to change Chapter 3.7 line 39 and 3.5 before taking to public hearing. Reduce 20% of the impervious area and use the opportunity of new development going into a partially developed area.*

The goal is to get the existing impervious surfaces treated and avoid open-ended subjectivity in the Ordinance. Need specific criteria defined. It was recommended Mr. Erichsen come back to the Board on March 26, with changes to the Ordinance as discussed.

EXECUTIVE SESSIONS

Commissioner Anderson moved, seconded by Commissioner Raley, to meet in Executive Session to discuss matters of Property Acquisition and Personnel, as provided for in Article 24, Section 4-210(a)11 and 4-210(a)1, respectively. Motion carried.

Property Acquisition

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Alfred A. Lacer, County Administrator
Robin Finnacom, Director, Lexington Park Plan
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)11

Time Held: 4:35 p.m. – 5:05

Action Taken: The Commissioners discussed two property acquisition issues and gave direction to staff.

Personnel

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Alfred A. Lacer, County Administrator
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)1

Time Held: 5:05 p.m. – 5:15 p.m.

Action Taken:

(Kaaren Burke took following portion)

**ST. MARY'S COUNTY LIBRARY BOARD
OF TRUSTEES ANNUAL REPORT**

Present: Mary R. Wood, Director, St. Mary's County Library
Board of Library Trustees:
Lorraine Wallace, President
Joan Marsh, Vice President
Jacqueline Mervine, Treasurer
Janice Briscoe, Mary Ann Chasen, Barbara Conrath,
Fred Powledge, Members

Ms. Wallace introduced the Commissioners to many facets of the Library's functions, i.e., extended hours, book discussion groups, day/evening programs for children, revised internet policies, 43,000+ members strong and 7th in the State for the number of visits by library patrons. Along with all of this, we are giving what the patrons want by introducing DVDs, CDs, and audio-books to the Library.

There are 24 library systems in Maryland and all but six have an Assistant Director. Ms. Wallace asked for the Commissioners' support in hiring an Assistant Director for the Library. Just the volume of activities warrant this FTE which is included in the budget request for 2003.

Ms. Wood stated that the Library is in complete compliance with State and Federal laws regarding Internet access. The library is founded on the principal of intellectual freedom and defends the constitutional right to access information. It is a policy that parents are responsible for their children. Of note, there have only been four complaints filed with the Library regarding Internet access.

However, a technical solution for filtering Internet access may be on the horizon with a "Smart Card." The State has offered a grant to upgrade computers so the Smart Card can be used. The card can be programmed to allow full or modified access to the Internet for each patron. This will leave the decision process up to the individual or parent regarding Internet accessibility.

The Commissioners applauded the Library staff and Trustees for their diligence and hard work and assured them of the Board's support.

PUBLIC FORUM

Kim Wiley, 49437 Portney's Overlook Road, Ridge

Her 14-year-old son races BMX. It is a hardship to travel long distances to the races. Recommends a track be developed in the county.

Fred Powledge, 25040 Old Brick Way, Hollywood

As a member of the Board of Trustees for the Leonardtown Library, and a lover of the library, he wants to address Internet filtering. It's a quaint daydream that a piece of software can decide what is or is not correct to view in a public library. It takes away parental controls.

Joe Gass, 4114 Living Water Lane, Mechanicsville

Represents "May God Bless our Community." St. Mary's Library has not enacted any filtering software. Strongly desires filtering be added for the protection of the children.

Mary Ann Chasen, 45915 Pine Road, Lexington Park, MD 20653

As a Library Trustee, sought information about "May God Bless our Community." However, no by-laws or non-profit status exists. Who are they? The Library has had computers in use for seven years and only four complaints have been filed.

Jackie Erickson, 22483 Tall Oaks Court Leonardtown

Brought before the Board a letter from the residents of Tall Oaks Court, Leonardtown, asking that their request dated August 10, 2001 for a taxing district be activated by the Department of Public Works.

Cece Price, 43721 Redmond Road, Leonardtown

Urges compliance with State law to filter computers to protect children.

Molly Schmeiser, 21615 Cove's End Court Leonardtown

Although the parents are the primary educators of children, filtering Library computers is a good idea.

Lisa Russell, 45590 Sunflower St., Great Mills

BMX racing builds self-esteem, is profitable to the community, it's a winning situation for everyone. Her son has been racing since the age of two. Must have a track in the county!

Gloria Neuman, 45590 Sunflower St., Great Mills

Kids who race BMX are happy, non-violent, and do not take drugs. BMX is an important sport.

**Terre and Steven Doughty, 21825 N. Essex Dr., Lexington Park
and Michael Quinn Bucky**

Terre brought his trophy and plaque as a winning BMX racer. Racing helps you manage money and time. There are people at the races who are there to make things run smoothly. Races are very well organized and BMX racing brings people together – especially families. There are over 400 racers from St. Mary's County. You can race any bike with brakes. Five acres would be enough land for a track.

Jonathan Beasley, Drayden

Built and recently closed Budd's Creek for business reasons - even though it was profitable. He will donate his expertise, equipment, sound system, starting gate, and lights to a new track. Encourages the County to build a track for St. Mary's County.

Jett Miller, P.O. Box 351, Clements

In 1999, Budd's Creek was the 7th ranked track on the East Coast for rider count. The "Race for Life" made money to find a cure for Leukemia. The BMX "family" is stable, there are rules and regulations that are enforced. Give BMX a piece of ground and the families will build the track.

Martha Neal, 42000 Seabrook Lane, Hollywood

As a grandmother of a BMX racer, strongly encourages a track be developed in St. Mary's County. As a firsthand observer of the sport, it can be self-sustaining; it's good for families, and a winning situation for the county.

Michael Schwartz, Mike's Bikes

Have raced BMX since 1997. A track will aid the economy, help juveniles, and brings families together. Land, water, and electricity are basic needs for a track.

Steve Wible, 24705 Sotterly Road, Hollywood

Have raced BMX for ten years. Will help do whatever is necessary to get a track in St. Mary's County.

Carol Vallandingham, Leonardtown

Supports the use of filtering software for the Internet at the Library.

Anne Hardman, Leonardtown

Believes Librarians are not babysitters and is personally a great fan of the St. Mary's Library. However, children do use the Library unsupervised. Suggest an alternative to the current Internet access be identified.

Teresa Leard, Leonardtown

Presented the Commissioners with a letter requesting filters be placed on library computers to protect children from unlimited Internet access.

Buddy Copsey, Mechanicsville

Has raced BMX for 5 years. It's the best sport. Graduated from high school with all A's.

David Hapner, Waldorf

With his children, he races BMX. The sport allows his children to focus on their individual skills whereas team sports do not. The ABA website will offer in depth information.

John C. Fox, Knights of Columbus #7914, Hollywood

Presented the Commissioners with a "Resolution" from the Knights of Columbus supporting the installation of filters on county Library computers.

Ray Gagnon, Mechanicsville

He and his son became interested in BMX racing in the late 80s and they are still at it. Encourages a track be developed in the County.

Robbie Hutchinson

BMX racing is a safe and sane sport. BMX is a big family.

David Triantos, Medley's Neck

Believes the Board does a good and honest job but misinformation sometimes occurs.

Phone In Comments

Lorena Goeller

Wants filtering only for children – not adults – on the Library computers.


Bob Holden, Valley Lee

Why do you keep asking citizens to save water but continue to build buildings?
If you want to conserve, shouldn't you stop constructing sewers?

ADJOURNMENT

The meeting adjourned at 8:38 p.m.

**Minutes Approved by the
Board of County Commissioners on 3/26/02**


**Judith A. Spalding, Administrative Assistant
to the Board of County Commissioners**